

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/035,347	REEDER ET AL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mary Cheung	3621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to appeal brief filed on 10 February 2006.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                                     |                                                                                        |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                         | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|                                                                                                                     | 9. <input type="checkbox"/> Other _____.                                               |

***Allowable Subject Matter***

1. Claims 1-29 are pending and allowed.
2. The following is an examiner's statement of reasons for allowance:

The closest prior art of Misra (U. S. Patent 6,189,146) teaches when a company wants a software license, it sends a purchase request (and appropriate fee) to the licensing clearinghouse. The license generator at the clearinghouse creates a license pack containing a set of one or more individual software licenses. To prevent the license pack from being copied and installed on multiple license servers, the license generator assigns a unique license pack ID to the license pack and associates the license pack ID with the particular license server in a master license database kept at the licensing clearinghouse. The license generator digitally signs the license pack and encrypts it with the license server's public key.

In regarding to independent claim 1, Misra taken either individually or in combination with other prior art of record fails to teach or suggest a rights exchange application configured to receive a licensing request manually provide by a potential human licensee related to a first media property; conduct a licensing transaction of at least a first right associated with the first media property by determining rights available for the first media property by searching the repository database; cause a first license template defined by the rights owner to be visually presented to the potential human licensee; receive first license template entries manually provided by the potential licensee; transmit in real-time the first license template entries to be visually presented

to the rights owner; and receive from the rights owner approval of a license for the first right, and to transmit the approval to the potential licensee.

In regarding to independent claim 7, Misra taken either individually or in combination with other prior art of record fails to teach or suggest visually present to a first potential licensee a first license form including license terms defined by the first intellectual property rights licensor; receive data entered into the first license form by the first potential licensee, the data including a request to license a first right; determine if the first right is available, and if the first right is available, to submit the first license request, including at least a portion of the received data for approval; transmit a first license approval to the first potential licensee; visually present to a second potential licensee a second license form including license terms defined by the second intellectual property rights licensor; receive data entered into the second license form by the second potential licensee, the data including a request to license a second right; determine if the second right is available, and if the second right is available, to submit the second license request, including at least a portion of the received data for approval; and transmit a second license approval to the second potential licensee.

In regarding to independent claim 11, Misra taken either individually or in combination with other prior art of record fails to teach or suggest electronically receiving from a rights licensor of a first media an instruction defining which system entities and entity attributes can be use as search parameters by a search engine; electronically receiving from the rights licensor a definition of information types that a potential licensee is to provide in a license request submission for at least a first right for

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the first media; electronically receiving from the rights licensor instructions as to what human perceptible notifications are to be provide to the rights licensor and to the potential licensee during the licensing transaction; electronically receiving from the rights licensor authorizing instructions configured to specify which person is authorized to perform predetermined acts during the licensing transaction; and conducting, using a computer system, the licensing transaction in accordance with the rights licensor's notification instructions, and authorizing instructions.

In regarding to independent claim 25, Misra taken either individually or in combination with other prior art of record fails to teach or suggest receive a response from the first user to the first licensing terms, the first user response including a license acceptance, a counteroffer, or an indication that the first user is not proceeding with the licensing transaction; set a first status in real-time related to the first right at least partly in response to the first user response; transmit a notification relating to the user response to a recipient designated by the licensor; receive all instruction from the licensor after transmitting the notification, and at least partly in response to the instruction, to set a second status related to the first right; transmit over a network to a second user second licensing terms defined by a licensor for a second media property; receive over a network a license inquiry from the second user regarding at least a second right for the second media property; receive a response from the second user to the second licensing terms, the second user response including a license acceptance, a counteroffer, or an indication that the second user is not proceeding with the licensing transaction; set a second status in real-time related to the second right at least partly in

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response to the second user response; transmit a notification relating to the user response to a recipient designated by the licensor; and receive an instruction from the licensor after transmitting the notification, and at least partly in response to the instruction, to set a second status related to the second right.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Article titled "Intellectual Property Antitrust" by Kolb et al. (International Commercial Litigation A Guide to US Litigation Supplement, pp 8-13, Dec 1996/Jan 1997, ISSN: 1359-2750).

#### ***Inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(571) 273-8300      (Official Communications; including After Final  
Communications labeled "BOX AF")  
(571) 273-6705      (Draft Communications)

Mary Cheung  
Primary Examiner  
Art Unit 3621  
April 7, 2006



**MARY D. CHEUNG**  
**PRIMARY EXAMINER**